Attorney Docket No.: 10.0435 Express Mail No.: EV 681574017 US
PATENT

## **REMARKS**

This Amendment and Response to Non-Final Office Action is being submitted in response to the non-final Office Action mailed August 15, 2005. Claims 1, 3-11, 14-16, 18, 19, and 21-24 are pending in the Application. Claims 1, 3-11, 14-16, 18, 19, and 21-24 stand rejected. Specifically, Claim 1 stands rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claims 1, 3-6, 10, 11, 14, 16-19, and 21-24 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Clupper et al. (U.S. Patent No. 6,309,742) in view of Allen et al. (U.S. Patent No. 6,410,847), Webb (U.S. Patent No. 6,542,371), and Eckblad et al. (U.S. Patent No. 6,390,475). Claims 7-9 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Clupper et al. in view of Allen et al., Webb, and Eckblad et al., and further in view of King et al. (U.S. Patent No. 5,763,824). Finally, Claim 15 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Clupper et al. in view of Allen et al., Webb, and Eckblad et al., and further in view of Yee (U.S. Patent No. 6,113,425).

In addition, Examiner indicates that amending Claim 1 with Claims 5, 7, 8, and 14, and amending Claim 1 with Claims 3, 11, and 14 would place the claims in condition for allowance.

In response to the above rejections, Claim 1 has been amended with Claims 5, 7, 8, and 14, as suggested by Examiner; Claims 23 and 24 (which correspond substantially to Claim 1) have been amended with Claims 3, 11, and 14, as suggested by Examiner; the 35 U.S.C. 112, second paragraph, rejection of Claim 1 has been remedied; and a number of other minor/technical amendments have been made. Claims 5, 7, 8, and 14 have been canceled.

In view of these amendments, Applicant submits that none of the references cited, alone or in combination, disclose, teach, or suggest the combination of

Attorney Docket No.: 10.0435 Express Mail No.: EV 681574017 US PATENT

elements/limitations claimed in the Application. Therefore, Applicant respectfully requests that all of the pending claims now be allowed.

Attorney Docket No.: 10.0435 Express Mail No.: EV 681574017 US
PATENT

## **CONCLUSION**

Applicant would like to thank Examiner for the attention and consideration accorded the present Application. Should Examiner determine that any further action is necessary to place the Application in condition for allowance, Examiner is encouraged to contact undersigned Counsel at the telephone number, facsimile number, address, or email address provided below. It is not believed that any fees for additional claims, extensions of time, or the like are required beyond those that may otherwise be indicated in the documents accompanying this paper. However, if such additional fees are required, Examiner is encouraged to notify undersigned Counsel at Examiner's earliest convenience.

Respectfully submitted,

Date: October <u>13</u>, 2005

Christopher L. Bernard Registration No.: 48,234 Attorney for Applicants

DOUGHERTY, CLEMENTS, HOFER, BERNARD & WALKER

1901 Roxborough Road, Suite 300 Charlotte, North Carolina 28211 USA

Telephone: 704.366.6642 Facsimile: 704.366.9744 cbernard@worldpatents.com